

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SLADE GORTON & CO., INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 05-11366-MLW
)	
ANTONIO BARILLARI, S.A.)	
)	
Defendant.)	
)	

**SLADE GORTON & CO., INC.’S SECOND MOTION
TO ENLARGE TIME TO EFFECT SERVICE ABROAD**

Pursuant to Fed. R. Civ. P. 6(b), plaintiff, Slade Gorton & Co., Inc. (“Slade Gorton”), respectfully moves for an enlargement of time to effect service abroad on the defendant, Antonio Barillari, S.A. (“Barillari”). As grounds for this Motion, Slade Gorton refers to the supporting memorandum submitted herewith, and briefly states as follows:

1. On April 14, 2006, this Court issued an electronic order stating that “[s]ervice shall be made by July 28, 2006 or a request for a possible further extension shall be filed by then.” Since the entry of the Court’s April 14, 2006 Order, Slade Gorton has continued its efforts to serve Barillari, but as of this date, still has not received notice that service has been made.

2. Slade Gorton seeks additional time to continue its efforts to serve Barillari, rather than to seek a default judgment, as it is entitled to do under the Hague Convention.

3. This Motion to Enlarge Time is brought in good faith and is not interposed for delay or any other improper purpose. The enlargement requested by Slade Gorton will not prejudice Barillari and is in the interests of justice.

WHEREFORE, Slade Gorton hereby requests that the Court allow this motion and enlarge the time for effecting service on Barillari until such date as the Court deems appropriate.

Respectfully submitted,

SLADE GORTON & CO.

By its attorneys,

/s/ Amy B. Abbott July 20, 2006

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LOCAL RULE 7.1 (A)(2) CERTIFICATE

Because Slade Gorton has been unable to effect service of the summons and complaint in this matter, Slade Gorton submits this Motion for consideration *ex parte*. Accordingly, Slade Gorton is unable to confer with Barillari's counsel as prescribed by Local Rule 7.1(A)(2).

/s/ Amy B. Abbott July 20, 2006

Amy B. Abbott

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent, via First Class mail, postage prepaid, to those non-registered participants on the 20th day of July, 2006.

/s/ Amy B. Abbott
Amy B. Abbott